

REMARKS

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

The claims now pending in the application are claims 1 through 21, with claims 1, 9, and 21 being independent. A formal amendment has been made to claim 1 to further clarify the invention. Support for this amendment can be found in the original application, as filed. No new matter has been added.

Initially, Applicants note that claims 9 through 21 are allowed. Those claims are not amended herein.

In the Office Action, claims 1 through 8 were rejected under 35 U.S.C. § 102(e), as anticipated by U.S. Patent No. 6,380,660 to Maeno et al. Applicants respectfully traverse this rejection.

The present invention relates to a novel vibration wave driving apparatus. As now recited in independent claim 1, a vibration wave driving apparatus includes a vibration member, electro-mechanical energy conversion elements, and a driven member. The vibration member has a shape that is line-symmetrical with respect to two orthogonal planes. The electro-mechanical energy conversion elements selectively excite in the vibration member three different types of bending vibrations, each of which respectively displaces in a direction in parallel with the two orthogonal planes. The driven member is brought into contact with driving portions of the vibration member and driven by vibrations excited in the vibration member.

Accordingly, claim 1 recites that a vibration member has three types of bending vibrations selectively excited therein, with each of the bending vibrations displacing in a direction in parallel with orthogonal planes.

Applicants submit that at least these features are not taught or suggested by Maeno et al.

As illustrated in Figures 3B to 3D, Maeno et al. discloses a vibration member that can have three different vibrations excited therein. Among those vibrations, however, only the vibration shown in Figure 3B *displaces* in parallel with two orthogonal planes about which the vibration member is symmetrical, i.e., in the z-direction. Thus, nowhere does Maeno et al. teach or suggest electro-mechanical energy conversion elements which selectively excite in the vibration member three different types of bending vibrations, each of which respectively displaces in a direction in parallel with the two orthogonal planes, as recited in claim 1.

For the foregoing reasons, Applicants submit that independent claim 1 is allowable over the cited art.

Claims 2 to 8 depend from claim 1 and are believed allowable for the same reasons. Moreover, each of these dependent claims recites additional features in combination with the features of its respective base claim, and is believed allowable in its own right. Favorable and individual consideration of the dependent claims respectfully are requested.

Applicants submit that this Amendment After Final Rejection clearly places this application in condition for allowance. This Amendment makes only formal amendments to claim 1, and was not earlier presented inasmuch as Applicants believed that the prior Amendment placed the application in condition for allowance. Accordingly, entry of the instant Amendment, as an earnest attempt to advance prosecution and reduce the number of issues, is requested under 37 CFR 1.116.

Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action, and an early notice of allowance are also requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "MJD", with a long horizontal flourish extending to the right.

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